

SUMMARY OF 1999 STATUTES AFFECTING THE TRIAL COURT ACCOUNTING SYSTEM



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MAY 2000

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SECTION A

Summary of 1999 Statutes Affecting the Trial Court Accounting System

Introduction

This summary of legislation contains bills chaptered in 1999 that affect the Trial Court Accounting System and the related audit system as prescribed by the State Controller's Office in the *Manual of Accounting and Audit Guidelines for Trial Courts (Manual)* and related correspondence.

The bill summaries reflect changes in the accounting system that are not yet included in the *Manual*. These summaries are provided to assist county auditors, judges, court administrators, probation officers, central collection officers, juvenile traffic hearing officers, and any other persons involved in the court accounting process. Emphasis has been placed on the required distribution of fees, fines, forfeitures, penalties, additional penalties, and assessments.

The bill summaries are intended as a guide only. Not all code sections contained in each bill are listed. Readers are strongly urged to obtain the full text of the bills for further detail and additional information not contained in this summary.

Please note that the following abbreviations are used throughout this summary to designate California Codes:

B&P	Business and Professions Code
CC	Civil Code
CCP	Code of Civil Procedure
EC	Education Code
FC	Family Code
F&G	Fish and Game Code
GC	Government Code
H&N	Harbors and Navigation Code
H&S	Health and Safety Code
LC	Labor Code
PC	Penal Code
PCC	Public Contract Code
PRC	Public Resources Code
PRO	Probate Code
R&T	Revenue and Taxation Code
S&H	Streets and Highways Code
VC	Vehicle Code
UIC	Unemployment Insurance Code
W&I	Welfare and Institutions Code

SUMMARY OF LEGISLATION CHAPTERED IN 1999

CHAPTER/BILL INDEX

LEGISLATION LISTED BY CHAPTER NUMBER

CHAPTER	BILL	PAGE	SUBJECT
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514	SB 367	A-5	Court Filings: Electronic Transmission: Credit Cards:
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582	SB 621	A-6	Forest Resources: Timber Harvesting Plans:
610	AB 975	A-6	Vehicles: Motorcycle Safety:
674	SB 939	A-7	Emergency Medical Services: County Funding:
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723	AB 194	A-7	Vehicle Offenses: Court Clerk's Records:
780	SB 822	A-8	Tobacco Product Settlement:
841	AB 923	A-8	Railroad Grade Crossing:
866	AB 1152	A-10	Courts: Funding: Public Guardians:
880	SB 652	A-10	Vehicles: Financial Responsibility:
888	SB 1126	A-10	Criminal Procedure: Arraignment: Audiovideo:
1023	AB 1492	A-11	Traumatic Brain Injury Project

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Other Court Legislation			
AB 177	115	A-4	Filing Fee Surcharges: Children's Waiting Room
AB 194	723	A-7	Vehicle Offenses: Court Clerk's Records:
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SB 652	880	A-10	Vehicles: Financial Responsibility:
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SB 1126	888	A-10	Criminal Procedure: Arraignment: Audiovideo:

SUMMARIES

Chapter 115
AB 177
Effective 1-1-00

Filing Fee Surcharges: Children's Waiting Room: Adds and Repeals GC 26826.3. Authorizes the board of supervisors, in any county that has established or elects to establish children's waiting rooms in courthouses, to impose a surcharge of not less than \$2 or more than \$5 on the following superior court civil filings.

- A complaint, petition, or other first paper in a civil or probate action or special proceeding;
- A first paper on behalf of any defendant, respondent, intervenor, or adverse party;
- A motion for change of venue from another court; or
- A first paper on behalf of any party in a proceeding under Section 98.2 of the Labor Code.

The surcharge shall be in addition to the total filing fee. No party shall be required to pay the surcharge more than once in any one action.

The surcharge shall be remitted to the county treasurer for deposit in the Children's Waiting Room Fund.

The board of supervisors shall make expenditures from the Children's Waiting Room Fund related to the establishment and maintenance of the children's waiting room, excluding capital outlay.

This surcharge will sunset on January 1, 2010, unless a later enacted statute deletes or extends that date.

Chapter 121
SB 1250
Effective 1-1-00

Restitution: Amends PC 1202.4. Specifies that mental health expenses should be considered in determining the amount of economic loss in a restitution order.

Note: AB 606 (Chapter 584 of Statutes of 1999) was chaptered after SB 1250. Chapter 584 changed the wording to this addition from mental health therapy expenses to mental health counseling expenses.

Chapter 150
SB 35
Effective 1-1-00

Court Fees: San Bernardino County: Adds GC 26826.4. Authorizes the San Bernardino County Board of Supervisors to impose a surcharge of up to \$35 on superior court filings, except in a limited civil case, of a complaint, petition or other first paper and a first paper on behalf of a defendant, respondent, intervenor, or adverse party.

The surcharge shall not apply when the filing fee is not charged or waived.

The surcharge shall be deposited into the Courthouse Construction Fund for the authorized fund purpose. The collection of the surcharge shall terminate upon repayment of the amortized cost incurred or 30 years from the sale of the bond, whichever comes first.

Chapter 169
SB 155
Effective 7-26-99

Highways: Safety Enhancement-Double Fine Zones: Amends S&H 97 and VC 42010. Extends the sunset date of the Safety Enhancement-Double Fine Zones from January 1, 2000 to January 1, 2004.

Adds three new zones to the Safety Enhancement-Double Fine Zones:

- Route 138 between the intersection with Avenue T and Pearblossom Highway and the intersection with Interstate Highway 15
- Route 101 between the intersection with Boronda Road and the intersection with the San Benito-Monterey County Line
- Route 152 between the junction with route 156 at the Don Pacheco "Y" and the intersection with Ferguson Road

Extends the due date of Caltrans' report on the program to the Legislature until January 1, 2003. Revises content of report.

Chapter 344
SB 210
Effective 1-1-00

Courts: Unification: Amends or adds numerous codes and sections. Makes further conforming, technical, and implementing changes to effectuate the unification of trial courts pursuant to Proposition 220, enacted in June of 1998.

Provides that, in a county without a municipal court, if a party misclassifies a limited civil case and the case is reclassified, the party shall pay a reclassification fee equaling the difference between the filing fee in a limited civil case and the filing fee in a case other than a limited civil case.

If a party fails to classify a case as a limited civil case and the case is reclassified as a limited civil case, the party is neither charged an additional fee nor entitled to a refund.

Note: The above reclassification fee, which is pursuant to CCP 403.050, should be remitted to the Trial Court Trust Fund as part of the superior or consolidated filing fee.

Chapter 514
SB 367
Effective 1-1-00

Court Filings: Electronic Transmission: Credit Cards: Adds CCP 1010.6; amends GC 6159. Authorizes trial courts to adopt local rules on electronic filing of documents under specific conditions.

Provides that a trial court needs the approval of the Judicial Council instead of the board of supervisors in order to accept the use of credit cards.

Requires Judicial Council approval of any credit card fee imposed by a trial court.

Chapter 570
AB 476
Effective 1-1-00

Bail: Procedure: Amends PC 1166, 1305, 1305.4 and 1308. Extends the time period from 20 days to 30 days after service of the notice of the entry of the summary judgment before a court or magistrate shall accept any person or corporation as surety on bail if any summary judgment against that person or corporation remains unpaid.

Provides that a motion to vacate a forfeiture of bail that is filed within a 180 day period may be heard within 30 days of the expiration of the 180 day period and allows the 30 day period to be extended for good cause.

Makes additional changes to bail procedures.

Chapter 582
SB 621
Effective 1-1-00

Forest Resources: Timber Harvesting Plans: Amends PRC 4612; amends, repeals, and adds PRC 4554.5, adds PRC 4601.1, 4601.2, 4601.3, 4601.4 and 4601.5. Imposes civil penalties in an amount not to exceed \$10,000 for violations of the Z'berg-Nejedly Forest Practice Act of 1973, as prescribed.

Provides that no one is subject to both a civil penalty imposed by a court and a civil penalty administratively imposed by the Department of Forestry and Fire Protection for the same violation.

Provides that any moneys recovered by these penalties by the Department of Forestry and Fire Protection shall be deposited into the State General Fund.

Makes other changes concerning forest practice regulations.

The State's share of PRC 4601.1 shall be identified as "PRC 4601.1 - General Fund – Department of Forestry" on the State Remittance Form (TC-31).

Chapter 584
AB 606
Effective 1-1-00

Victims of Crimes: Payments: Amends GC 13961.1, 13965, and PC 1202.4; and adds and repeals GC 13968.5. Requires the Board of Control to conduct a pilot program to provide reimbursement for grief, mourning and bereavement services provided by certified child life specialist.

Authorizes specified payments for adult victims of domestic violence for specified relocation, residential security, and, in the case of permanently disabled victims, renovating and retrofitting his or her residence or vehicle.

Chapter 610
AB 975
Effective 1-1-00

Vehicles: Motorcycle Safety: Adds PC 1464.2; amends VC 2936; repeals VC 2937 and 2938. Provides that not more than \$250,000 of moneys deposited into the State Penalty Fund pursuant to PC 1464 shall be made available, upon appropriation, for the Motorcycle Safety Program authorized under Article 2 (commencing with Section 2930) of Chapter 5 of Division 2 of the VC.

Deletes December 31, 2003, expiration date for collection of \$2 motorcycle safety registration fee. Deletes January 1, 2003, sunset date for Motorcycle safety program.

Requires the Highway Patrol Commissioner to report to Legislative Committees each year concerning the Motorcycle Safety Program's status, grants, and programs.

Chapter 674
SB 939
Effective 1-1-00

Emergency Medical Services: County Funding: Amends GC 76104. Specifies that a county shall not be required to provide funding for the Maddy Emergency Medical Services Fund in excess of county penalty assessments authorized to be deposited in the fund.

Note: The Emergency Medical Services Fund referred to in GC 76104 is the same as the Maddy Emergency Medical Services Fund established pursuant to H&S 1798.98a.

Chapter 679
SB 623
Effective 1-1-00

Maddy Emergency Medical Services Fund: Amends H&S 1797.98b and VC 42007. Provides that a county compile a semiannual listing of the physicians and hospitals that have received reimbursements from the county's Maddy Emergency Medical Services Fund (Maddy Fund) and the amount of the reimbursements.

This information shall be available to the general public on request.

Provides that, for distributions that go to traffic school pursuant to VC 42007 in a county that has established a Maddy Fund, \$2 for every \$7 that would have been collected pursuant to GC 76000 on a fine distribution be deposited in the Maddy Fund.

Specifies that nothing in this act shall be interpreted to result in either of the following:

- The utilization of penalty assessment funds that had been set aside, on or before January 1, 2000, to finance debt service on a capital facility that existed before January 1, 2000.
- The reduction of the availability of penalty assessment revenues that had been pledged, on or before January 1, 2000, as a means of financing a facility which was approved by a county board of supervisors but, as of January 1, 2000, is not under construction.

Note: The \$2 deposited into the Maddy Fund on traffic school violations should not be used in a county's GC 77205 50% calculation.

Chapter 723
AB 194
Effective 1-1-00

Vehicle Offenses: Court Clerk's Records: Amends VC 1803, 23221, 23223, 23225, and 23226. Requires court clerks to forward to the Department of Motor Vehicles an abstract record of drivers convicted of specific violations concerning the driver drinking any alcoholic beverages in a motor vehicle or possessing an open alcoholic beverage container in a motor vehicle.

This bill deletes specific former exceptions to the existing law concerning DMV abstracts.

Chapter 780
SB 822
Effective 1-1-00

Tobacco Product Settlement: Adds H&S 104555, 104556, and 104557. Specifies that any tobacco product manufacturer selling cigarettes to consumers in California shall either perform its financial obligations under terms of an agreement between tobacco product manufacturers, the federal government, and several states, or place funds in an escrow fund.

The Attorney General may bring a civil action on behalf of the State against any tobacco product manufacturer that fails to place any required funds into escrow.

A tobacco product manufacturer in violation of the escrow requirement is required to bring the escrow into compliance by placing funds into escrow within 15 days.

A court may impose a civil penalty, to be paid into the General Fund, in an amount not to exceed 5% of the amount improperly withheld from the escrow per day of the violation and in a total amount not to exceed 100% of the original amount improperly withheld from escrow.

If it is a knowing violation, a court may impose a civil penalty on the tobacco product manufacturer to be paid into the General Fund, in an amount not to exceed 15% of the amount improperly withheld from escrow per day of the violation and in a total amount not to exceed 300% of the original amount improperly withheld from escrow.

Chapter 841
AB 923
Effective 1-1-00

Railroad Grade Crossing: Amends PC 369b and VC 42001; adds PC 1463.12, PUC 1201.1, VC 42001.16, and VC 42007.4; amends VC 42001. Increases the minimum fine for specific railroad crossing violations to \$100. Subsequent violations are fined as follows:

Up to \$200 for a second offense and \$250 for third and subsequent offenses. Removes the one-year time limit restriction on subsequent offenses.

Provides the following specific distribution for the specified railroad crossing violations after deducting 2% for automation:

- 30% of the total bail (including state and local penalties) to:

A transit district or transportation commission established under Division 12 of the Public Utilities Code, if the offense occurred in an area where the district or commission provides rail transportation. To be used only for public safety and public education related to railroad grade crossings.

If rail transportation is not provided by the above entities, to the county general fund for use only for public safety and public education related to railroad grade crossings.

- The balance (70%) is distributed pursuant to PC 1463.001, PC 1464, and GC 76000.

If a railroad grade violation is referred to traffic school, 30% of the traffic school fee (not the additional \$24 fee pursuant to VC 42007.1) is distributed to either the transit district, transportation commission, or county with the same specific use.

Note: VC 42007.4 states that the 70% remaining balance is distributed pursuant to PC1463 and not the usual VC 42007 associated with traffic school cases. PC 1463 distribution normally results in distributions pursuant to PC 1463.001, PC 1464, and GC 76000. It is not clear if this is the intent of the statute.

Only Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties have transportation commissions established pursuant to Division 12 (commencing with Section 130000) of the PUC. The areas of these commissions are established in statute as the entire county. They all provide or contribute to rail transportation (Metrolink). Therefore, any distribution within those counties would be to the transportation commissions.

As of January 1, 2000, exclusive of the rail transportation provided by the county transportation commissions above, the following transit districts provide some method of rail transportation:

- North San Diego Transit Development Board
- San Diego Trolley
- Santa Clara Transit District
- Sacramento Regional Rapid Transit District
- Peninsula Corridor Joint Powers Board (San Mateo, San Francisco and Santa Clara)

Although the City and County of San Francisco has rail transit, it is not technically a transit district. The distribution would go to the City and County.

The Bay Area Rapid Transit District has rail transportation, but it has been reported that it has no traffic crossings.

Generally, the area of a transit district would include, pursuant to PUC 99231, the entire area stated in its enabling legislation or franchise. The area often encompasses the urban area, but there may be exclusions and extensions.

This distribution is based on the red light distribution in AB 1191 (Chapter 852 of Statutes of 1997).

Requires Public Utilities Commission, in consultation with Caltrans and after public hearings, to provide rules and regulations prescribing uniform standards regarding the time at which traffic enforcement shall begin after

the warning signal sounds at a railroad crossing.

Violators of these rail crossing statutes living in counties with a population greater than 500,000 may be required to attend a traffic school which includes a rail safety video in the curriculum.

Note: The 30% distributions pursuant to PC 1463.12 and VC 42007.4 should not be used in a county's GC 77205 50% excess calculation.

**Chapter 866
AB 1152
Effective 1-1-00**

Courts: Funding: Public Guardians: Amends PRO 2942. Requires that a probate court, in making the determination of a just and reasonable compensation for public guardians, consider actual costs of services provided, amount of the estate involved, special services provided, and whether the compensation requested might impose an economic hardship on the estate.

**Chapter 880
SB 652
Effective 1-1-00**

Vehicles: Financial Responsibility: Amends VC 1808.47, 4750, 16020, 16025, 16028, 16029, 16033, 16070, 16457, and 40611; adds VC 1808.24 and 4000.38; repeals and adds VC 4000.37; repeals VC 1680, 16020, 16070, 16071, 16547, and 40611. Reduces the fine for failure to provide evidence of ability to satisfy the financial responsibility laws to not less the \$100 or more than \$200 for a first conviction, and not less than \$200 or more than \$500 for subsequent convictions within three years of a prior conviction.

Requires the trial court to impose a fine greater than the minimum fine specified above, unless the defendant has presented the court with specific evidence of ability to satisfy the financial responsibility laws.

The fine is mandatory and cannot be waived, suspended, or reduced below the minimum, unless the trial court waives or reduces the fine based on the defendant's ability to pay.

The trial court may issue an order directing the defendant to maintain insurance coverage satisfying the financial responsibility laws for at least one year.

Repeals the sunset on the law requiring proof of insurance when registering a motor vehicle.

Makes various other changes to laws concerning the motor vehicle financial responsibility law.

**Chapter 888
SB 1126
Effective 1-1-00**

Criminal Procedure: Arraignment: Audiovideo: Amends PC 977.2 and PC 1202.41; adds PC 1202.46. Removes pilot aspect of a program that allows the Department of Corrections to permit the initial court appearance and arraignment of an incarcerated defendant by two-way electronic audiovideo. Deletes sunset provision, reporting requirement, and five prison limits of above program.

Authorizes the use of two-way electronic audiovideo in a Board of Control pilot program concerning the amending of restitution orders.

Requires the court to retain jurisdiction over a person subject to a restitution order(s) when a victim's economic losses cannot be determined at the time of the sentencing, for the purposes of imposing or modifying the order(s) when the losses are determined.

Chapter 1023
AB 1492
Effective 1-1-00

Traumatic Brain Injury Project: Amends PC 1464, W&I 4354, 4355, 4357, and 4359; adds W&I 4354.5, 4357.1, 4357.2, and 4358.5; repeals and adds W&I 4356. Limits the amount of funds deposited in the Traumatic Brain Injury Fund from the State Penalty Fund pursuant to PC 1464 to \$500,000 for the 1996-97, 1997-98, and 1998-99 fiscal years.

Note: In a signing message accompanying AB 1492, Governor Davis stated that he is requesting legislation to remove the retroactive imposition of a \$500,000 cap for the 1997-99 and 1998-99 fiscal years.

Revises demonstration project by the State Department of Mental Health concerning postacute continuum-of-care model for adults with acquired traumatic brain injuries.

Extends sunset date of program from January 1, 2000, to January 1, 2005.

SECTION B

Trial Court Funding

Trial Court Funding

There was no significant legislation updating the Lockyer-Isenberg Trial Court Funding Act of 1997 (AB 233) in the 1999 legislative session. However, the State Controller's Office regularly receives inquiries about Trial court funding especially concerning the Maintenance of Effort (MOE) payments pursuant to GC 77201.1 and 50% excess calculations pursuant to GC 77205. This section will clarify some of those issues. Many of these issues have been discussed in earlier publications or correspondence of the State Controller's Office or the Administrative Office of the Courts.

Maintenance of Effort (MOE) Government Code Section 77201.1

Due Dates/Delinquent Penalties – The MOE payments are due for the 1999-2000 fiscal year and thereafter on October 1, January 1, April 1, and May 1. Any payments postmarked after the deadlines will be subject to delinquent penalties pursuant to GC 68085(h) and GC 77201.2. The postmark deadlines for the 1999-2000 fiscal year are October 1, 1999, January 3, 2000, April 3, 2000, and May 1, 2000. Any MOE remittance postmarked after those dates will be subject to penalty. The delinquent date schedule can be found on the State Controller's Website at www.sco.ca.gov under State/Local Government / State Government / Delinquent Date Schedules for Remittance Advices.

NOTE: The fourth quarter payment due date has changed from July 1 to May 1.

When a delinquent penalty is calculated, the State Controller's Office will send out a demand letter. Pursuant to GC 68085(j), the penalty is due 45 days after the end of the month of which the penalty is calculated.

Payments – MOE payments should be made in four equal payments. For most counties with GC 77201.3 reduction on their expenditure MOEs the remaining reduction would be 1/4 of 1/3 on each quarterly payment for the 1999-2000 and 2000-2001 fiscal years.

The MOE payments are due as provided in statute. The revenue payments are due regardless of actual county collections. Any payment made to the 50% excess collections pursuant to GC 77205 has no affect on any GC 77201.1 MOE payment.

50% Excess Revenue Calculation GC 77205

Court and County Split of Revenue Growth: This section updates and clarifies the section in *The 1998 Summary of Statutes Affecting the Trial Court Accounting System* under AB 1301 pages B-3 through B-5. References that were only applicable to the 1997-98 fiscal year have been deleted from the discussion below.

Included in the GC 77205 calculation:

- PC 1463.001 (county arrest) fines – 75% of base fine
- PC 1463.001 (city arrest) fines – 75% of county percentage in PC 1463.002
- PC 1464 State Penalty – 30%, including traumatic brain penalty. Does not include VC 40611 or fish and game amount.
- VC 42007 Traffic Violator School fees – 77% of collections distributed to the county general fund. Does not include distributions to the Maddy Emergency Medical Services Fund, Courthouse Construction Fund, Criminal Justice Facilities Construction Fund, or to the cities.
- VC 42007.1 Traffic Violator School \$24 fee – 100% of collections.
- VC 42008 Amnesty fees (distribution repealed so activity is unlikely) – 100% of funds that would have been remitted to the State General Fund on December 31, 1997.
- GC 27361 Recording and Indexing fee – \$1 fee pursuant to section (b).
- PC 1463.07, formerly GC 29550(f), Administrative Screening and Citation Processing fee – 100% of collections.
- GC 76000 – \$2 portion of every parking fee – 100% of collections.

Of the amount that exceeds the county's total in GC 77201.1(b)(2) version effective July 1, 1999, 50% is remitted to the State Trial Court Improvement Fund and 50% is deposited in the county general fund.

The calculations would be made after any deductions for eligible comprehensive collection costs pursuant to PC 1463.007.

Note: The county should make the calculation either based on the accrual basis (July through June collection months) or on the cash basis for the fiscal year. The calculation should be consistently applied thereafter as either cash or accrual.

For the 1998-99 fiscal year and thereafter, the following counties shall make their split when the specified revenues exceed the following amounts:

Placer	\$ 1,554,667
Riverside	11,028,078
San Joaquin	3,694,810
San Mateo	5,304,995
Ventura	4,637,294

The State's share of GC 77205 is identified as "Trial Court Improvement Fund – GC 77205" on the State Remittance Form (TC-31)

SECTION C

Listing of Distributions to the State

Listing of Distributions to the State

Since April 1, 1998, the copy of the State Remittance Form (TC-31) that the State Controller's Office returns to the counties no longer has a Controller's receipt (CR) number or a date stamp; instead it has the dated State Treasurer's endorsement. Therefore, all TC-31s are now referenced by remittance advice numbers.

The most common distributions of court-related revenues and other revenues to the State are listed below. This list should be used as an aid for identifying accounts when preparing collection and distribution statements, such as the State Remittance Advice (Form CA-25, TC-31). This is not an all-inclusive listing. Most of the codes cited under the identification column are listed on the preprinted TC-31. However, the codes are not listed in the same order as on the preprinted TC-31.

Strikeouts represent repealed distributions. Please note that agencies may continue to remit revenues collected from accounts receivable to these funds. All audit findings must be remitted using the distributions in effect when the error was made. However, pursuant to Penal Code Section 1464.8, the allocation and distribution of monies collected on criminal cases may be based on the law in effect during the accounting period when the payment is made. Penal Code Section 1464.8 is subject to the distribution requirements of Penal Code Section 1463.001.

Fees	Source/Violation	Identification
Small Claim Filing Fee (CCP 116.230) – \$5 of \$20 or \$35 fee		Trial Court Trust Fund – CCP 116.230
Dismissed Jury Fee (CCP 631.3)		Trial Court Trust Fund – GC 68085 – CCP 631.3
Environmental Document Filing Fees (F&G 711.4) – \$1,250 for negative declaration, \$850 for environmental impact report		Environmental Document Filing Fee Fund – F&G 711.4
Public Employment Retirement Fees (GC 26822.3, 72056.1) court fees		Judges Retirement Fund – GC 26822.3, 72056.1
Change of Venue Fee (GC 26823) – \$9 of \$23 fee		Trial Court Trust Fund – GC 68085 – GC 26823

Fees (Continued)	Source/Violation	Identification
Filing Fee Amended Complaint – Superior Court (GC 26826.01) – \$75		Trial Court Trust Fund – GC 68085 – GC 26826.01
Subsequent Paper Probate fee (GC 26827.4) – \$9 of \$23 fee		Trial Court Trust Fund – GC 68085 – GC 26827.4
Motion Fee (GC 26830) – \$9 of \$23 fee		Trial Court Trust Fund – GC 68085 – GC 26830
County Clerk's Copying Fee (GC 26831) – reasonable charge REPEALED 7/13/98		Trial Court Trust Fund – GC 68085 – GC 26831
Certified Copy of Marriage Dissolution Record Fee (GC 26832.1) – \$2 of \$5 or \$10 fee		Trial Court Trust Fund – GC 68085 – GC 26832.1
Certifying Copy Fee (GC 26833.1) – \$4.25 of \$6 fee		Trial Court Trust Fund – GC 68085 – GC 26833.1
Authenticated Document Fee (GC 26835.1) – \$4 of \$6 fee		Trial Court Trust Fund – GC 68085 – GC 26835.1
Certificate When Fee not Fixed (GC 26836.1) – \$4.25 of \$6 fee		Trial Court Trust Fund – GC 68085 – GC 26836.1
Comparison Fee (GC 26837.1) – \$.50 of \$1.00 per page		Trial Court Trust Fund – GC 68085 – GC 26837.1
Certificate on Filing Notice of Motion Prior to Appeal Fee (GC 26838) – \$9 of \$23 fee		Trial Court Trust Fund – GC 68085 – GC 26838
Filing and Indexing Other Papers Fee (GC 26850.1) – \$3.75 of \$6 fee		Trial Court Trust Fund – GC 68085 – GC 26850.1
Recording or Registering License or Certificate Fee (GC 26851.1) – \$3.75 of \$6 fee		Trial Court Trust Fund – GC 68085 – GC 26851.1
Certificate of Official Capacity of Public Official Fee (GC 26852.1) – \$3.75 of \$6 fee		Trial Court Trust Fund – GC 68085 – GC 26852.1
Taking Affidavit Fee (GC 26853.1) – \$3.75 of \$6 fee		Trial Court Trust Fund – GC 68085 – GC 26853.1

Fees (Continued)	Source/Violation	Identification
	Taking Acknowledgment Fee (GC 26855.4) – \$3.75 of \$6 fee	Trial Court Trust Fund – GC 68085 – GC 26855.4
	Proceedings Regarding Custody and Visitation of Minor Children Fee GC 26862) – \$5 of \$20 fee	Trial Court Trust Fund – GC 68085 – GC 26862
	Dismissed Jury Fee (GC 27081.5) REPEALED 1/1/99	Trial Court Trust Fund – GC 68085 – GC 27081.5
	Fee for Recording and Indexing Documents. \$3 for each additional page. Distribute \$1 of the \$3 to the State (GC 27361) REPEALED 7/13/98	Trial Court Trust Fund – GC 27361
	Fee for Recording and Indexing Documents. \$3 for each additional page. Distribute \$1 of the \$3 to the State (GC 27361) REPEALED 1/1/98	General Fund (Records) – GC 27361
	Citation Processing Fee – \$10 upon conviction from each person cited and released REPEALED 6/30/96	General Fund (Citation) – GC 29550(f)
	Administrative Screening Fee – \$25 upon conviction from each person arrested and released REPEALED 6/30/96	General Fund (Admin.) – GC 29550(f)
	Cancellation of Land Use Fee (GC 51283)	Dept. of Conservation – GC 51283
	Superior Court Filing Fees (GC 26820.4, 26826 & 26827) – First paper: plaintiff, probate, guardianship, and conservatorship	Trial Court Trust Fund – Filing Fees (Superior Court) GC 68085
	Municipal Court and Limited Civil Case Filing Fees (GC 72055 & 72056) – First paper: plaintiff, probate, guardianship, and conservatorship	Trial Court Trust Fund – Filing Fees (Municipal) GC 68085
	Consolidated Court Filing Fees – If courts are consolidated and the fees cannot be identified to a specific court (GC 26820.4, 26826, 26827, 72055, 72056)	Trial Court Trust Fund – Filing Fees (Consolidated) GC 68085

Fees (Continued)	Source/Violation	Identification
	Superior Court Reporter Fees (GC 68086) – actual costs for court reporter services	Trial Court Trust Fund – Reporter Fees (Superior) GC 68085
	Municipal Court Reporter Fees (GC 68086) – actual costs for court reporter services	Trial Court Trust Fund – Reporter Fees (Municipal) GC 68085
	Consolidated Court Reporter Fees – If courts are consolidated and fees cannot be identified to a specific court (GC 68086) – actual costs for court reporter services	Trial Court Trust Fund – Reporter Fees (Consolidated) GC 68085
	Automated accounting and case processing systems (GC 68090.8) – 2% Automation Fee	Trial Court Improvement Fund – GC 68090.8 (2% automation)
	Filing Fee Amended Complaint – Municipal Court (GC 72056.01) – \$45	Trial Court Trust Fund – GC 68085 – GC 72056.01
	Fee for a Certificate and Transmitting Transcript and Papers on Appeal (GC 72060) – \$4 of \$10 fee	Trial Court Trust Fund – GC 68085 – GC 72060
	Certified Birth Certificate Copy Fees to State Children's Trust Fund in conformity with W&I 18965 (H&S 103625(b))	Family Law Trust Fund – Marriage Record Fees – H&S 103625 (c&d), CC 5183, GC 26832, Family Code 1852
	Burial Permit Fee for Disposition of Human Remains (H&S 103680(b), formerly H&S 10610.05). Distribute \$1 of the additional \$3 fee to the State	Peace Officers' Training Fund – H&S 103680(b), formerly H&S 10610.05
	Criminalistics Lab Fee – \$50 per conviction of controlled substances, if Dept. of Justice Criminalistics Lab used (H&S 11372.5)	General Fund – H&S 11372.5
	State Fire Marshall Explosive Permit Fee (H&S 12105) – 50% of fee	General Fund – Explosives Permit Fee – H&S 12105
	Diversion Restitution Fee (PC 1001.90) – 100% of fee	Restitution Fund – PC 1001.90
	Domestic Violence Fee (PC 1203.097) – ½ of 2/3 of fee to be distributed to local law enforcement	Domestic Violence Restraining Order Reimbursement Fund – PC 1203.097

Fines	Source/Violation	Identification
	Domestic Violence Fee (PC 1203.097) – ½ of 2/3 of fee for statewide training and education.	Domestic Violence Training and Education Fund – PC 1203.097
	Proof of correction transaction fee (VC 40611) – \$10 fee. Distribute 34% to the State Penalty Fund .	State Penalty Fund (POC) – VC 40611
	Administrative Fee (holds on registration from parking violations prior to 1/1/87) \$3 per hold; (VC 41103.5) REPEALED 1986	Motor Vehicle Acct. VC 41103.5
	Traffic Violator School Fee (VC 42007.1) \$24 additional fee; distribute 100% to the State REPEALED 1/1/98	General Fund (\$24) VC 42007.1
	Traffic Violator School Fee equal to the total bail (VC 42007.1, 42007); distribute 77% to the State. For failure to submit proof of completion of Traffic Violators School (VC 40512.6), the fee is converted to a bail forfeiture and distributed pursuant to VC 42007.1 REPEALED 1/1/98	General Fund (TVS) VC 42007, 42007.1
	Business & Professions Fines (BP 1719) – 75% of fines	Dentistry Fund (Board of Dental Examiners) – BP 1719
	Business & Professions Fines (BP 2446) – 75% of fines	Board of Medical Quality Assurance Fund – BP 2446
	Business & Professions Fines (BP 2458) – 100% of fines	Osteopathic Medical Board of California Contingent Fund – BP 2458
	Business & Professions Fines (BP 3145.5) – 100% of fine	Optometry Fund – BP 3145.5
	Business & Professions Fines (BP 4236) – 50% of fines; (BP 4412, 4414) – 100% of fines	Pharmacy Board Contingent Fund – BP 4236, 4412, or 4414
	Business & Professions Fines (BP 4903) – 50% of fines	Veterinary Medical Board Contingent Fund – BP 4903

Fines (Continued)	Source/Violation	Identification
	Civil fines for unlicensed operation of a collection agency, action by Attorney General (B&P 6872 (b)) REPEALED 6/30/92	Collection Agency Fund – BP 6872
	Abalone Fines (F&G 12009) – 50% of abalone fines	State Abalone Restoration and Preservation Account – F&G 12009
	Fish and Game Fines (F&G 13003) – 50% of fines	Fish and Game Preservation Fund – F&G 13003
	Abandoned Watercraft Fines (H&N 525) – 80% of abandoned watercraft fines	State Abandoned Watercraft Abatement Fund – H&N 525
	Controlled Substances (H&S 11502) – 75% of fines	General Fund – H&S 11502
	State Fire Marshal Fines (H&S 13112.1) – 50% of fines	Fire & Arson Training Fund – H&S 13112.1
	Hazardous Substance Fines (H&S 25192) – civil penalties and criminal fines for hazardous substance violations – 50% of civil penalties and fines	Hazardous Substance Account – H&S 25192, 25189
	Labor Fines (LC 1305(b)) – 25% of fines and penalties for employing a minor	General Fund – LC 1305(b)
	Sex Offenses Fines – 100% of additional fine for conviction of PC 290 (FIRST OFFENSE)	General Fund (First Conviction) – PC 290.3
	Sex Offenses Fines – 100% of additional fine for conviction of PC 290 (SECOND OR SUBSEQUENT OFFENSE)	General Fund (Second Conviction) – PC 290.3
	Restitution Fines – Child Abuse (PC 294) – 100% of fine upon conviction of specified child abuse statutes	Restitution Fund – PC 294

Fines (Continued)	Source/Violation	Identification
	Restitution Fines (PC 1202.4, W&I 730.6, formerly GC 13967, 13967.5; W&I 729.6, and PC 1203.04) – 100% of fine	Restitution Fund – PC 1202.4, W&I 730.6, formerly GC 13967, 13967.5, W&I 729.6, and PC 1203.04
	Restitution Fines for Parole Revocation (PC 1202.45) – 100% of fine	Restitution Fund – PC 1202.45
	Base Fines and Forfeitures (other than parking); distribute to the State 75% of any amount due to the county REPEALED 1/1/98	General Fund (County) PC 1463.001
	Base Fines and Forfeitures (other than parking); distribute to the State 50% of any amount due to the city as per PC 1463.002 REPEALED 1/1/98	General Fund (City) PC 1463.001
	Public Offenses on Parks and Recreation Property (PC 1463.02) – 50% of fines REPEALED 6/30/91	Parks and Recreation Fund – PC 1463.02
	State Police Fines (PC 1463.03) – 50% of fines REPEALED 6/30/91	CA State Police Fund PC 1463.03
	SNOW-PARK (PRC 5091.15) – 50% of fines on violations of SNOW-PARK	Winter Recreation Fund – PC 1463.04
	State and Local Parking Violations processed by the courts from issuing state agencies 25% to the State REPEALED 7/1/93	General Fund (Parking) PC 1462.3
	State Univ. & College Parking Fines (PC 1463.5) REPEALED 6/30/91	State Univ. & College Parking Revenue Fund – PC 1463.5a
	Violations on Cal Expo property (PC 1463.15) – 50% of fines REPEALED 6/30/91	State Fair Police Special Account – PC 1463.15
	Restitution – Driving Under the Influence (PC 1463.18) – first \$20 of fines collected	Restitution Fund – PC 1463.18

Fines (Continued)	Source/Violation	Identification
	Financial Responsibility – \$3 per conviction. (VC 16028)	Motor Vehicle Acct. – PC 1463.22(b) or Transportation Fund – PC 1463.22(b)
	Financial Responsibility – \$10 per conviction. (VC 16028)	General Fund – PC 1463.22©
	Forestry and Fire Protection Fines (PC 1463.27) – 80% of fines REPEALED 6/30/91	Dept. of Forestry and Fire Protection PC 1463.27
	Off-Highway Vehicle (VC 42204) – 50% of fines	Highway Vehicle Fund – VC 42204
Penalties	Source/Violation	Identification
	Check Cashers Permits – Civil Penalties (CC 1789.37) – 50% of Civil Penalties	General Fund – CC 1789.37
	Added Penalty on Parking Violations; distribute \$1 of each \$2.50 to the State REPEALED 1/1/98	General Fund (\$1) GC 76000©
	Additional Penalty (F&G 12021) – \$15 to be used for Secret Witness Program	Fish & Game Preservation Fund – F&G 12021
	Hazardous Waste Enforcement Penalties (H&S 25515.2) – \$200 from the civil or criminal penalties imposed	Hazardous Waste Enforcement Training Fund – H&S 25515.2
	Tobacco Product Manufacturers (H&S 104557© – Civil Penalties for Escrow Violations	General Fund – H&S 104557©
	Penalties/forfeitures for violations of labor laws or public works codes – 100% of penalties (LC 1734, 1730)	General Fund – LC 1734, 1730
	Penalties on Felony Convictions for Lewd or Lascivious Acts with Children (PC 288) – 100% of additional fine	Victim-Witness Assistance Fund – PC 288
	State Penalty – \$10 per \$10 or fraction of fine, penalty, or forfeiture. Distribute 70% of all state penalties collected (including prior levy amounts) to the State Penalty Fund. (PC 1464)	State Penalty Fund – PC 1464

Penalties (Continued)	Source/Violation	Identification
	State Penalties collected on fish and game fines and forfeitures (PC 1464)	State Penalty Fund – PC 1464 (on F&G Fines)
	Civil Penalties on Forest Practice Violations – PRC 4601.1	General Fund – PRC 4601.1
	Civil Penalties on Equipment and Registration Tab Violations (VC 5204, 40203, 40225) – 50% of civil penalty	General Fund – VC 40225(d)
Assessments	Source/Violation	Identification
	Safety Belt Violations (VC 27315) – \$2 for first offense; \$5 for subsequent offenses	State Penalty Fund – PC 1464(f)(8)(B) or Traumatic Brain Injury – PC 1464(f)(8)(B)
	Delta Protection Commission (F&G 12002, 12002.1, 12002.2, or H&N 668) – 10% of fines for violations occurring within delta REPEALED 1/1/96	Sacramento San Joaquin Delta Protection Fund – PRC 29776
	State Fire Marshal Penalty Assessments (PC 1464.5) – .10 per \$1 REPEALED 7/27/91	Fire & Arson Training Fund – PC 1464.5
Other	Source/Violation	Identification
	Restitution Orders to Victims unclaimed for three years (GC 50050) – 100% of order not used by local agency for victim services	Restitution Fund – GC 50050
	Delinquent Penalties, Trial Court Trust Fund (GC 68085(i))	Trial Court Trust Fund – GC 68085(i) – Delinquent Penalty
	Excess Funds, Trial Court Facilities (GC 68085.5)	Trial Court Trust Fund – GC 68085.5
	Distribution of Seized Asset Forfeitures (H&S 11489, 11470, 11471) – 24% of remaining forfeiture	General Fund – H&S 11489 (24%)
	Sale of Abandoned Watercraft (H&N 513, 518, and 522)	General Fund – (H&N 513, 518, and 522)

Other (continued)	Source/Violation	Identification
	Sale of Abandoned Watercraft less than \$300 in value (H&N 526)	Abandoned Watercraft – (H&N 526)
	Trial Court County MOE (GC 77201(b)(1)) – Expenditure Base through June 30, 1998	Trial Court Trust Fund – GC 77201(b)(1) – Expenditure Base
	Trial Court County MOE (GC 77201(b)(2)) – Revenue Base through June 30, 1998	Trial Court Trust Fund – GC 77201(b)(2) – Revenue Base
	Trial Court County MOE (GC 77201.1(b)(1)) – Expenditure Base beginning July 1, 1998	Trial Court Trust Fund – GC 77201.1(b)(1) – Expenditure Base
	Trial Court County MOE (GC 77201.1(b)(2)) – Revenue Base beginning July 1, 1998	Trial Court Trust Fund – GC 77201.1(b)(2) – Revenue Base
	Excess Collections (GC 77205) – County Cap – 50%	Trial Court Improvement Fund - GC 77205 – 50%
	County Base Fine MOE (GC 1463.001) REPEALED 1/1/98	General Fund – PC 1463.001 MOE
	Distribution of sale proceeds from vehicle forfeitures (VC 14607.6(i)) – 50% of remaining proceeds	Vehicle Inspection and Repair Fund – VC 14607.6(i)

Repealed Codes and Distributions to the State

B&P 6872 Civil Fines Unlicensed Operations Collection Agency
GC 27361© Recording Index Fee
GC 29550(f) Citation Processing Fee
GC 29550(f) Administrative Screening Fee
GC 76000© Added Penalty on Parking
PC 1463.001 75% of County Base Fines
PC 1463.001 50% of City Base Fines
PC 1463.001 MOE
PC 1462.3 General Fund (Parking)
PC 1463.02 State Parks and Recreation Fund
PC 1463.03 California State Police Division Fund
PC 1463.5a State College Parking Revenue Fund
PC 1463.15 California State Fair Police Special Fund
PC 1463.27 Department of Forestry and Fire Protection
PC 1464.5 California Fire and Arson Training Fund
PC 1465 Emergency Medical Services Fund*
PRC 29776 Sacramento-San Joaquin Delta Protection Fund
VC 41103.5 Motor Vehicle Account
VC 42007 General Fund – 77% of TVS Fee
VC 42007.1 General Fund – TVS \$24 Fee

*An Emergency Medical Services Fund is now provided for in GC 76104.

SECTION D

Key Personnel Listing

**OFFICE OF THE STATE CONTROLLER
DIVISION OF ACCOUNTING AND REPORTING**

POST OFFICE BOX 942850
SACRAMENTO, CA 94250-5875
(916) 445-8717

BUREAU OF REPORTING**ACCOUNTING
POLICIES
SECTION**

Functions: Prescribe, supervise, and maintain a uniform accounting system for trial courts, together with probation offices, central collection bureaus, and any other agencies having a role in the collection and distribution of fees, fines, penalties, and forfeitures.

Key Personnel:

Richard Alway	(916) 322-9896
Bob Stonehouse	(916) 327-2289
Craig Goodman	(916) 445-1958

BUREAU OF PAYMENTS**COST PLANS
AND
APPORTIONMENTS**

Functions: Responsible for quarterly trial court funding and trial court trust fund payments.

Key Personnel:

David Smart	(916) 323-8077
Mike Havey	(916) 322-9891

BUREAU OF ACCOUNTING**CONTROL
ACCOUNTS**

Functions: Review and process receipts of fines and forfeitures remitted by County Auditors to the State.

Key Personnel:

Jan Waggener	(916) 322-9002
Jeryl Rienhart	(916) 327-1703

OFFICE OF THE STATE CONTROLLER
DIVISION OF AUDITS
POST OFFICE BOX 942850
SACRAMENTO, CA 94250-5874

COMPLIANCE AUDIT BUREAU

**COURT
REVENUE
AUDITS**

Functions: Perform field audits of superior courts, municipal courts, and other agencies involved in the collection and distribution process to ensure complete and accurate remittances of court revenues to the State Treasurer. Provide audit guidelines for trial courts.

Key Personnel:

Greg Brummels (Sacramento)
Gary Weimer (Sacramento)

(916) 322-8397
(916) 323-4973

JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS
455 GOLDEN GATE AVENUE
SAN FRANCISCO, CA 94102-3660
415-865-4200

Functions: Questions regarding quarterly reports, trial court budgets, and functional budgeting should be directed to:

Key Personnel:

Frank Schultz

(415) 865-7954

Functions: Questions regarding the Traffic Bail Schedule should be directed to:

Key Personnel:

Courtney Tucker

(415) 865-7611

**State Controller's Office
Division of Accounting and Reporting
P.O. Box 942850
Sacramento, CA 94250
(916) 445-2636**

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